

**TOWN OF ROCKY HILL
PLANNING AND ZONING COMMISSION
MEETING OF DECEMBER 17, 2014**

1. CALL TO ORDER

Chairman Desai called the Wednesday, December 17, 2014, Meeting to order at 7:03 p.m. in the Town Council Room, Rocky Hill Town Hall, 761 Old Main Street, Rocky Hill, Connecticut.

Present: Dimple Desai, Chairman
Victor Zarrilli, Secretary
Giuseppe Aglieco

Alternates: William O'Sullivan

Also: Kimberley A. Ricci, Dir. Planning & Building/Asst. ZEO
Eileen A. Knapp, Recording Secretary

2. PUBLIC

No one from the public spoke.

3. ADOPT THE AGENDA

A MOTION was made by Commissioner Zarrilli to adopt the Agenda. Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

4. CONSENT AGENDA

A MOTION was made by Commissioner O'Sullivan to adopt the Consent Agenda. Seconded by Commissioner Aglieco. 3 were in favor (Desai, O'Sullivan, Aglieco), 1 abstention (Zarrilli), MOTION CARRIED. The following item was approved on the Consent Agenda:

A. Approval of Draft Minutes November 19, 2014;

5. AGENDA ITEMS

A. Extension Request for one year for use of a Temporary Project Trailer (56 'by 11'9") at Connecticut Natural Gas located at 1376 Cromwell Avenue in a BP – Business Park Zoning District;

Mr. Brian Horgan addressed the Commission representing CNG. He is asking for a 1-year extension of their construction trailer permit at 1376 Cromwell Avenue, which was approved in

mid-2013. The trailer is being used to assist them as they build their administration building. Staff has been moved into the new building but they do have additional work that will continue through 2015 and they would like to maintain the trailer on site. He submitted pictures of where the trailer is on the site and how it looks.

Mrs. Ricci said the permit was approved in April of 2013 with the condition that it be removed by April of 2015. Mr. Horgan said they would like to extend the permit to June 30, 2016. Because the notice stated that the extension would be for 1-year, if CNG needs it for a longer period, they would have to come back for another extension. The trailer is being used for two employees, a Project Manager and a Quality Assurance Engineer.

A MOTION was made by Commissioner O'Sullivan to approve Extension Request for one year for use of a Temporary Project Trailer (56 'by 11'9") at Connecticut Natural Gas located at 1376 Cromwell Avenue in a BP – Business Park Zoning District. Seconded by Commissioner Zarrilli. All were in favor, MOTION CARRIED UNANIMOUSLY.

B. Review, and discuss possible draft regulations addressing medical marijuana, dispensaries and production facilities;

At the last meeting there were questions about the signage at medical marijuana, dispensaries and production facilities. According to State and Federal Regulations, there are to be no displays of marijuana leaves on the outside of the facility or on signage. They are allowed in advertising and correspondence. Advertisements cannot encourage recreational use of the product.

Another question was whether or not an existing pharmacy could sell medical marijuana. Mrs. Ricci said dispensaries are basically the licensed pharmacist and the license runs with the person. Facilities must be secured so established pharmacies cannot sell medical marijuana. Right now there are licensed facilities in Harford, Branford, Bethel, South Windsor, Uncasville and Bristol. There are licensed producers in Portland, Simsbury and Watertown. The majority of Towns treat these facilities the same as pharmacies and manufacturing establishment. These establishments can't be "disallowed", but the Commission can require buffers. Right now the State requires a 1000' away from schools, churches, daycares, places of worship, playgrounds and parks. The language being proposed in the draft regulation is only 200'. The Commission had a discussion about how large the buffer should be. The Commission decided to have the buffer be 1000'.

The Commission again discussed whether or not Regulations would allow a dispensary to be within or on the same property as a local pharmacy. It was determined that the dispensary could not be within an existing pharmacy, it would have to be a separate secured facility, which is not attached to the public pharmacy. Chairman Desai wanted to make sure the Regulations are very clear so there are no questions or issues if or when an application comes before them.

As far as the producers, those facilities would have to be located in a business park, but the Commission decided on the same 1,000' buffer.

A MOTION was made by Commissioner Zarrilli to set a public hearing on January 21, 2015 for proposed regulations addressing medical marijuana, dispensaries and production

facilities. Seconded by Commissioner O’Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

C. Review, and discuss possible draft regulations addressing multifamily housing as a component of a mixed use development;

The Commission discussed possible changes to the draft regulations. Chairman Desai suggested not limiting themselves or developers by making the Regulations too specific. The following topics were discussed:

- What zones to allow mixed use development in.
- Inclusion of the Town Center concept in the Regulations
- Only allowing mixed use in Commercial Zones.
- Flexibility in setbacks, heights and coverage, etc.
- Possible shared parking
- Breaking up the Waterfront District into different sections

Commissioner O’Sullivan suggested a proposed new definition of mixed-use as follows:

“A combination of one, a commercial use or uses permitted in and meeting the applicable standards of the underlying district, which use or uses shall include retail, two, residential use, three, and recreational, cultural, civic and/or educational uses not limited to occupants and guests of the residential component. All categories of a use shall be substantial elements of the overall project, shall be complimentary and shall be physically and functionally integrated. The project shall be designed to facilitate and encourage internal and external pedestrian access to the extent reasonably practicable.”

The use of the word “substantial” allows for flexibility when assessing an application. Mrs. Ricci noted that the Commission will also be able to use the Special Permit Criteria during their review.

A MOTION was made by Commissioner Zarrilli to table the Review, and discussion of possible draft regulations addressing multifamily housing as a component of a mixed use development; in order to further discuss the following issues:

- **Removing the mixed use from all zones except Commercial Zones**
- **Allowing Mixed use to remain in the Waterfront Zone.**
- **Removed proposed definition of mixed-use building and mixed-use and include the definition submitted by Commission O’Sullivan for mixed-use.**
- **Making mixed-use a special permit use in the Commercial Zone.**
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Seconded by Commissioner O’Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

6. ANY OTHER BUSINESS

A. Feedback/Discussion on Plan Implementation Committee concept for POCD Update

In the past the Town had an Implementation Committee that was very large and they had a hard time seeing eye to eye. The Committee was eventually disbanded. Mr. Chalder said Planimetrics conducted surveys showing the effectiveness of Plan Implementation Committees and Mrs. Ricci was looking for feedback from the Commission regarding this issue. The Commission agreed that a Plan Implementation Committee would be useful and effective if kept to a small number of members meeting quarterly. Members should come from other Town Commissions.

There is currently a Town Ordinance for the creation of an Architectural Review Board, but as of yet, no members have been assigned to it. Commissioner O'Sullivan suggested that the Commissioners bring this up this need to their respective Town Committees.

Chairman Desai said he thinks the Planning and Zoning Commission's terms should be staggered so that the entire Commission does not turn over at the same time, possibly leaving a brand new sitting at the beginning of a new term. Mrs. Ricci said the Town is beginning to consider Charter revisions and she is suggesting staggered terms for Commission members for exactly that reason.

7. COMMUNICATIONS

None.

8. APPROVE BILL

A. Planimetrics Invoice # 1058– Plan of Conservation and Development Update

A MOTION was made by Commissioner Zarrilli to approve Planimetrics Invoice # 1058– Plan of Conservation and Development Update. Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

9. ADJOURN

A MOTION was made by Commissioner Zarrilli to adjourn the meeting at 8:37 p.m. Seconded by Commissioner O'Sullivan. All were in favor, MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Eileen A. Knapp
Recording Secretary